

rules out a large portion of those persons best qualified by experience and knowledge to fill the office. The executive branch shall construe section 503(c)(2) in a manner consistent with the Appointments Clause of the Constitution. Also, section 503(c)(4) purports to regulate the provision of advice within the executive branch and to limit supervision of an executive branch official in the provision of advice to the Congress. The executive branch shall construe section 503(c)(4) in a manner consistent with the constitutional authority of the President to require the opinions of heads of departments and to supervise the unitary executive branch. Accordingly, the affected department and agency shall ensure that any reports or recommendations submitted to the Congress are subjected to appropriate executive branch review and approval before submission.

Section 507(f)(6) of the Homeland Security Act of 2002, as amended by section 611 of the Act, and sections 689i(a)(4)(B)(iv) and 689j(b)(2)(E) of the Act, purport to require in certain circumstances that an executive branch official submit legislation for the consideration of the Congress. The executive branch shall construe such provisions in a manner consistent with the President's constitutional authority to supervise the unitary executive branch and to recommend for congressional consideration such measures as the President shall judge necessary and expedient.

Several provisions of the Act purport to direct the President to perform the President's duties "acting through" a particular officer. These provisions include section 303(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended by section 633 of the Act, section 1802 of the Homeland Security Act of 2002, as amended by section 671 of the Act, and sections 643, 644, 689i, and 689j of the Act. The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President to supervise the unitary executive branch.

The executive branch shall construe provisions of the Act relating to race, ethnicity, and gender, such as sections 623 and 697 of the Act, in a manner consistent with the requirement of the Due Process Clause of

the Fifth Amendment to the Constitution to afford equal protection of the laws.

Section 1802(a) of the Homeland Security Act of 2002, as amended by section 671 of the Act, calls for the Secretary of Homeland Security "in cooperation with the Department of National Communications System (as appropriate)" and others to develop and update a National Emergency Communications Plan. An examination of the text and structure of the Act reveals that the term "Department of National Communications System" in section 1802(a) is most reasonably construed as a reference to the National Communications System in the Preparedness Directorate of the Department of Homeland Security, to which section 611 of the Act refers in amending section 505 of the Homeland Security Act of 2002, and the executive branch shall so construe it.

George W. Bush

The White House,
October 4, 2006.

NOTE: H.R. 5441, approved October 4, was assigned Public Law No. 109-295.

**Remarks at a Reception for
Gubernatorial Candidate Bob
Beauprez and the Colorado
Republican Party in Englewood,
Colorado**

October 4, 2006

Thanks for coming. I appreciate those kind words—Governor. I'm proud to be here with Bob Beauprez. I've gotten to know him quite well. See, we both served in Washington, DC, together. *[Laughter]* He is a straight thinker. He is a clear thinker. He's a person who understands that as the chief executive officer of a State, that you have to have a vision and the capacity to make decisions necessary to achieve that vision. There's no doubt in my mind he'll make a great Governor for the State of Colorado, and I thank you for supporting him.

And there's no doubt in my mind Claudia will make a fine first lady for the State of Colorado. I know something about first ladies. *[Laughter]* I'm a fortunate man that Laura said yes when I asked her to marry

me. We're both west Texans. At the time, I can promise you, neither of us dreamt that I'd be President and she'd be First Lady. As a matter of fact, if she thought at that time—[*laughter*]. Thankfully, she is our First Lady, and I know I'm not objective, but I feel like she's doing a fabulous job on behalf of the American people.

It's important to have—to be able to follow somebody in office who's done a good job. See, Beauprez is going to be a fine Governor, and one of the reasons he's going to be a fine Governor is, he's following another fine Governor, and that's Bill Owens. I appreciate Bill's leadership; I appreciate his steadfast adherence to principles. I'm proud to be with Bill and my friend Frances today, and I want to thank you both for serving your State.

I appreciate Lieutenant Governor Jane Norton and Mike Norton for joining us. Thank you all for coming. I am proud to be here with a fine United States Senator in Wayne Allard, and his wife, Joan. Thank you all for serving, and thanks for joining us.

Colorado is going to lose a really fine Congressman in Joel Hefley. I'm proud to call Joel friend. He brought honor and dignity to the office of United States Congressman. He represents the folks of Colorado Springs and the area with a lot of class. I appreciate him coming today, and I'm honored also to be here with Lynn. Thank you both for coming.

I want to thank the State attorney general, John Suthers, and Janet for joining us today. Thank you for serving. I thank State treasurer Mike Coffman and Cynthia for joining us today; proud you both are here. By the way, just in case you might forget, Mike is running for Colorado secretary of state. And in case the people of Colorado forget, he is a United States marine who, when this Nation called, served with distinction in this battle against these terrorists. Mike, I want to thank you very much. Proud to have been able to call you commander in chief—[*laughter*—for me to call—as Commander in Chief, call you proud marine. [*Laughter*]

I want to thank Commissioner Janet Rowland—Mesa County—and Lance—candidate for Lieutenant Governor. Thanks for coming, Janet. Bill Armstrong is with us. Bob Martinez is with us. John Elway is with us. Bruce

Benson is with us. I'm proud everybody is here. Thanks for contributing.

I do want to remind you, however, that campaigns are more than just raising money. It helps; don't get me wrong. [*Laughter*] But the next Governor is going to need your help turning out the vote. I know what it means to have a grassroots organization in Colorado working on one's behalf. Many in this room worked on my behalf to help me become the President. I want to thank you for what you've done and encourage you to support Bob Beauprez and turn out that vote come November. And while you're doing it, make sure we get these congressional candidates back in office too.

Before I talk about some of the issues, I do want to talk about an event that just recently occurred here in Colorado, in Bailey, Colorado. A lot of Americans, and I know a lot of folks in Colorado, express our deepest sympathy to the folks in that good community about the tragic loss of Emily Keyes. She died one week ago of an unspeakable act of violence. It wasn't necessary. We join her family in prayer. We extend our deepest sympathies to those good people.

This next week, I have asked Attorney General Al Gonzales and Secretary of Education Margaret Spellings to convene a meeting of leading experts and officials to determine how the Federal Government can help State and local folks deal with these shootings and the tragedies. Look, we wanted to make us certain around the country that the schoolhouse is a safe place for children to learn. And so I'm looking forward to the results of that meeting, how we can facilitate help, and how we can help these communities heal and recover from the tragic events like those that have taken place in three States over the past couple of weeks. May God bless Emily's family.

Speaking about education, when I was the Governor of Texas, I used to say this: I said, education is to a State what national defense is to the Federal Government. Education is by far the most important priority for State government, as far as I'm concerned. And I know the next Governor feels the same way. I appreciate Bill Owens' approach to education, and I'm looking forward to continuing to work with Bob Beauprez. And here's the

approach: We're setting high standards. We believe every child can learn to read and write and add and subtract. And we're willing to measure to determine whether or not each school is educating each child. And we measure early so we can correct problems early, so that the people of Colorado will be able to say no child is being left behind in the State of Colorado when it comes to public education.

I know that a Governor can set the tone for a State. Your Governor has set the tone for the State, and your next Governor must set the tone. And the tone for a State is: One, it's a safe place to live; two, the schools are worthy of the dollars being spent; and three, this is a good place for people to invest so people can find work. A Governor has the capacity to say loud and clear to risk-takers and people looking at your State, "Please come and invest in the State of Colorado. Please come to this State of entrepreneurial dreams." I know that Bob Beauprez will be able to do this because I worked with him to help overcome a recession and a corporate scandal and a terrorist attack on the United States, war, two hurricanes, and high energy prices. And yet, our economy is the envy of the industrialized world.

Our people are working. The unemployment rate is low in the State of Colorado. Productivity is up; small businesses are on the rise. I've always felt it's important for the State and the Nation to be able to say, entrepreneurs welcome here. The role of government is not to create wealth but to create an environment in which the entrepreneurial spirit can flourish. And so when it came time to overcome the economic obstacles we faced, I went to the United States Congress, spoke directly to people like Bob Beauprez and said, "Why don't we cut the taxes on everybody who is paying taxes. Why don't we let the people have more of their own money in their pocket so they can save, invest, and spend."

Progrowth economic policies work. This economy is on the run—on the rise. And this is an issue in this national campaign. It really is. The issue is, the Democrats get control of the Congress, they're going to have their hands on your wallet. *[Laughter]* They'll be running up your taxes; make no mistake

about it. The best way to keep this economy growing is to make the tax cuts we passed permanent and to make sure Republicans control the House and the Senate.

The most important job of government in this day and age is to protect you. It is a vital call for those of us who serve in Washington or in State government. The reason I say that is because we're at war with an enemy that still wants to inflict harm. I wish I could report differently to you, but that's not my job. See, my job isn't to paint a picture of the way we'd like it to be; my job, in order to protect you, is to travel this country and explain to people exactly what's at stake. And what is at stake is your security and our freedoms, because there's a group of coldblooded killers bound together by a common ideology that wants to strike us again.

I think about this every day, as your President. I resolved after 9/11 that we would use all assets at our disposal to do the most important job for a Federal Government, and that's to protect the American people. And the best way to do that is to stay on the offense against these people and defeat them overseas so we do not have to face them here.

And that's exactly what we're doing. There's some incredibly brave people working on your behalf—great intelligence officers, people in diplomatic corps, and people who have volunteered to wear the uniform of the United States of America. And the job of us in Washington, DC—of those of us in Washington is to make sure that these brave men and women have all that is necessary to do the job we have asked them to do. And we will continue to do just that.

This offense against these terrorists is waged in different fronts and in different ways. And the current front, the most visible front against the killers who would do harm in the United States, is in Iraq. And there's a difference of opinion. I believe that we must achieve victory in Iraq to make sure America is secure. Democrats in Washington believe Iraq is a distraction from the war on terror. These are decent people, and they're patriotic people—they just happen to be wrong people. *[Laughter]*

If you don't believe me, if people in Colorado are doubtful about whether Iraq is important to the security of the United States, I would hope they would listen to the words of Usama bin Laden or the number-two man in Al Qaida, Zawahiri, both of whom have proclaimed loud and clear that Iraq is essential to their plans. See, they believe America is weak, and if they can kill enough innocent people, we'll retreat. That's precisely what they want. They want us to leave the Middle East so they can establish safe haven from which to plot, plan, and attack again. They want to get their hands on oil reserves so that when they demand the free world to capitulate and there is resistance, they can wreak economic havoc. And into this mix of hatred comes a country that wants to have a nuclear weapon that has made their ambitions clear.

This is the world we face today. If America were to retreat, if we were to cut and run, if we were to abandon our friends and allies, 30 years from now, historians will look back—the country will look back, and say, “What happened to them? What happened to the people in charge of providing security for the United States of America? How come they couldn't see the threat to future generations of Americans?” I want you to know I clearly see the threat we face today, and I clearly see the threat we face in years to come. The United States of America will stand with those who long to live in freedom. We will support those moderates who stand in opposition to the extremists. We will keep the pressure on the enemies of freedom. We will help Iraq become a democracy that can sustain itself, defend itself, and govern itself, which will be yet another blow to Al Qaida and the haters. The United States of America will not retreat. We will achieve victory in Iraq. We will have done our duty for a generation of Americans to come.

After 9/11, I recognized this fact—that we must be right 100 percent of the time to protect you, and the enemy only has to be right one time. And that's the challenge we face. It really is. It's a daunting challenge. The challenge is made easier, by the way, by keeping these folks on the run. It's a lot harder to plot and plan if you're hiding in a cave or you're moving around the world. And

that's why a chief part of our strategy is to keep the pressure on them. But I also recognized that I needed to call upon Congress to help us develop tools so that those on the frontline of protecting you could do so.

One of the tools was given to folks through the PATRIOT Act. There was an extensive debate on the PATRIOT Act, and it's an important debate. But it's important for you to know that prior to the PATRIOT Act, intelligence officials and law enforcement officials could not exchange information. Now, this is a different kind of war. In the old days, you could measure success based upon the number of aircraft that were flying or the number of ships that were sailing—but no longer. See, in this war, we have to find people—find their intentions and bring them to justice before they come and hurt us again. In other words, we're not isolated or immune from the attacks. That's the lesson we learned on September 11th.

And so I decided to work with Congress to tear down these barriers. And right after 9/11, everything went fine. As a matter of fact, in the United States Senate, the vote was 98 to 1. And then something happened, because when it came time to renew the act, Senate Democrats filibustered—that's Washington, DC-speak for talking until the bill dies. As a matter of fact, the Senate minority leader openly bragged in the press that “We killed the PATRIOT Act,” as if that's some kind of noble gesture in the middle of a war against killers and terrorists. He was asked by a reporter whether killing the PATRIOT Act was really something to celebrate, and he answered loud and clear, “Of course it is.”

Eventually we overcame the filibuster, and I signed the renewal of the PATRIOT Act. But the reason I bring this story up, as people are getting ready to go to the polls, people from both political parties and people not affiliated with a political party, they must understand there is a different attitude in Washington, a different mindset between the two political parties about the threats we face. I strongly believe that we've got to give our folks the tools necessary to protect you. In this case, Senate Democrats, key members of the Democrat Party, tried to kill a bill that

would have given people the tools necessary to protect you.

I think it's important for us to understand the intentions of the enemy, understand what they're thinking and what they're saying. And that's why I instructed the National Security Agency to establish what is called the terrorist surveillance program to track communications between someone overseas making a phone call into the United States, someone we know is Al Qaida and/or Al Qaida affiliate. People say, "Well, how do you know?" Well, sometimes in the—pick people up on the battlefield that we know is Al Qaida or an Al Qaida affiliate, they might have some information in their possession. Take, for example, if they had a phone number in the United States, I think it makes sense for us to understand why somebody might be calling that phone number—if the most important job is to protect you, which it is. See, let me put it in plain talk: If Al Qaida is making a phone call into the United States, we want to know why they're making the call, where they're making the call, and what they intend to do.

People talk good in Washington, see. They say, we're going to do everything we can to protect you. Then, all of a sudden, the vote comes along which helps clarify the difference of opinion. And so when it came time for legislation to provide additional authority for the terrorist surveillance program, 177 Members of the—Democrat Members of the House of Representatives voted against listening in on terrorist communications. We just have a different point of view. And this is an issue in this campaign. It's an issue on how best to protect the United States. Our most important job is to get information so we can protect you before an attack comes. It is no longer acceptable to respond to an attack after it happens. The lesson of 9/11 is we must take threats seriously now and deal with them, in order to protect the men and women of the United States.

I felt it was very important that we have the capacity to interrogate people once we have captured them on this battlefield in the war on terror. And we've captured a lot of key operatives, people that we think were intimately involved in the planning, people we suspect was involved in the planning of these

attacks—a man named Khalid Sheikh Mohammed, Ramzi bin al-Shibh, Abu Zubaydah—these are people that we believe, we suspect were involved with planning the 9/11 attacks, and we captured them. And I thought it made sense to have a program that enabled our professionals in the CIA to see whether or not we could learn information about what they knew. If you're at war and you capture somebody—one of the key commanders—it's in the interests of the country that we find out what they're thinking.

And I'm going to tell you point-blank, this program worked. Let me give you some of the data that we learned, some of the information. As a result of the information from the interrogations, the CIA helped break up—we helped break up a cell of Southeast Asian terrorist operatives that had been groomed for attacks inside the United States. Information gained meant we were able to act to protect you. The program helped stop an Al Qaida cell from developing anthrax for attacks against the United States. The program helped stop a planned strike on a U.S. Marine camp in Djibouti. It helped prevent a planned attack on the U.S. consulate in Karachi. It helped foil a plot to hijack passenger planes and fly them into Heathrow and London's Canary Wharf. In other words, we gained information that enabled us to do the job you expect us to do.

Were it not for the information gained from the terrorists questioned by the CIA, our intelligence community believes that Al Qaida and its allies would have succeeded in launching another attack against the United States. That's the measured judgment of those professionals that we call upon to protect you.

The program is a vital program to protect the United States. And last week Congress held a vote on the future of this program. Again, it was another clarifying moment. It was a chance for the American people to see which party would take the means necessary to protect the American people. In the House of Representatives, 160 Democrats, including the entire Democrat leadership, voted against continuing this program.

I want our fellow citizens in Colorado—of both political parties and those not affiliated with a political party—to think about

that vote. Nearly 80 percent of the House Democrats want to stop a program that has provided invaluable intelligence that has saved American lives. There is a fundamental difference of opinion on how to best defeat the terrorists and to protect the American people. The good news is, for Colorado, you don't have to doubt where Bob Beauprez stands.

By the way, it just wasn't the House Democrats that voted against the bill, so did the Senate Democrats—32 Democrats, including every member of their Senate leadership save one, voted to kill this vital program.

I'm going to continue to campaign as hard as I possibly can and remind people about the facts, because I understand the threats we face. This isn't a political issue; this is an issue of national security, to make sure that we give those on the frontline of fighting the war on terror all the tools, all the support, all that is necessary to protect the American people.

You know, those votes and the comments that you hear out of Washington really reflect a different attitude and mindset about how to protect you. Democrats take a law enforcement approach to terrorism. That means America will wait until we're attacked before we respond. That is a pre-September the 11th, 2001, mindset. That won't work. It's just not going to work. The best way to do our duty is to stay on the offense, is to respond to intelligence and information, is to bring people to justice so they can't attack in the first place. And the best way to protect a generation of Americans that are counting on us, that are counting on this generation to do the hard work—like many generations before us were called to do—is to stay on the offense and, at the same time, spread liberty.

You know, recently I had an amazing experience. I went to Elvis's place with Prime Minister Koizumi. You should have been there. *[Laughter]* I went because I'd never been there. I went because Prime Minister Koizumi wanted to go there. *[Laughter]* And I went because I wanted to tell you a story. I find it ironic that I was traveling to Elvis's place, particularly since my dad and many of your relatives—my dad, as an 18-year-old Navy fighter pilot—fought the enemy, Japan.

They were the sworn enemy, and it was a bloody war. A lot of people lost their lives. It was a war ended by a horrific bombing—one tough decision for a President to have to make. And yet, here we were 60 years later, old George W. and Prime Minister Koizumi, flying down to Elvis's place. *[Laughter]*

But let me tell you what made the story even more amazing—was that on the way down, we were talking about keeping the peace. We were talking about North Korea. We were talking about the fact that Prime Minister Koizumi had committed 1,000 of his troops to help a young democracy in the heart of the Middle East succeed. He knows what I know: We're in the middle of an ideological struggle between good and evil, between moderation and extremism, between those who just want to live in peace and those who want to kill in the name of an ideology of hatred. He understands that.

We talked about how nations must respond to pandemic like HIV/AIDS, and I assured him the United States of America will continue to take the lead to help alleviate suffering. We talked about helping the young democracy in Afghanistan. I thought it was amazing, when I thought back about the same experience my dad, as a young man, had with the Japanese. Something happened between 41's time in the Navy and 43's time in the Presidency. And what happened was, Japan adopted a Japanese-style democracy, and the lesson is, liberty can convert enemies into allies. Someday, an American President will be sitting down with duly elected leaders in the Middle East, talking about how to keep the peace. And a young generation of Americans will be better off.

Those are the stakes. Thanks for helping. God bless.

NOTE: The President spoke at 1:27 p.m. at the Inverness Hotel and Conference Center. In his remarks, he referred to Frances W. Owens, wife of Gov. Bill Owens of Colorado; Lynn Hefley, wife of Representative Joel Hefley; Janet Suthers, wife of Colorado State Attorney General John W. Suthers; Cynthia Coffinan, wife of Colorado State Treasurer Mike Coffinan; Lance Rowland, husband of Mesa County Commissioner and candidate for Colorado Lieutenant Governor Janet Rowland; former Senator William L. Armstrong;

Bob Martinez, State chair, Colorado Republican Party; pro football Hall of Famer John Elway; Bruce Benson, chair and president, Benson Mineral Group, Inc.; and former Prime Minister Junichiro Koizumi of Japan.

Proclamation 8063—Leif Erikson Day, 2006

October 4, 2006

By the President of the United States of America

A Proclamation

Leif Erikson Day honors a great son of Iceland and grandson of Norway who became one of the first Europeans known to reach North America. This day is also an opportunity to celebrate the generations of Nordic Americans who have contributed to our country and strengthened the ties that forever bind the United States with Denmark, Finland, Iceland, Norway, and Sweden.

Like the crew of risk takers that Leif Erikson boldly led on a quest to find new lands, Americans have always valued the ideals of exploration and discovery. A desire to seek and understand inspired their voyage more than a millennium ago, and it remains a central part of our national character as a new generation pursues great new goals today. Nordic Americans continue to make valuable contributions to our society that have expanded human knowledge and helped make our world a better place.

To honor Leif Erikson and to celebrate our citizens of Nordic-American heritage, the Congress, by joint resolution (Public Law 88–566) approved on September 2, 1964, has authorized the President to proclaim October 9 of each year as “Leif Erikson Day.”

Now, Therefore, I, George W. Bush, President of the United States of America, do hereby proclaim October 9, 2006, as Leif Erikson Day. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs to honor our rich Nordic-American heritage.

In Witness Whereof, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand six, and of

the Independence of the United States of America the two hundred and thirty-first.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., October 6, 2006]

NOTE: This proclamation will be published in the *Federal Register* on October 10.

Remarks at the Department of Education

October 5, 2006

I want to thank Secretary Spellings and her fine team for welcoming me here to the Department of Education. I have just reassured the Secretary and the folks who work here that the reauthorization of the No Child Left Behind Act is a priority of this administration. And the reason I say it's a priority is because this act is working. We strongly believe in setting high standards for all students, and we strongly believe that in order to make sure those standards are met, we must measure to determine whether or not the schools are functioning the way we expect them to function and the way the parents expect them to function and the way the taxpayers expect them to function.

No Child Left Behind is working, and we've been strategizing here as to how to make sure we not only defend it during the reauthorization process but how we strengthen the law.

And so I want to thank you all for your work. I particularly want to thank the teachers and principals who have taken the No Child Left Behind Act and have implemented it and have seen the dramatic results that can be achieved by rigorous academics and strong curriculum and hard work in the classroom.

The most important function of Government at home is to make sure that a child receives an excellent education, and that's particularly important in a world that is becoming more globalized. I'm optimistic we can achieve our objectives. I know this law is working, and I look forward to working with Congress in the next legislative session to reauthorize and strengthen the No Child Left Behind Act.